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8 Attorneys for Defendants San Francisco Culinary Bartenders and
9 Service Employees Pension Fund

10
11 IN THE UNITED STATES DISTRICT COURT
12
13 NORTHERN DISTRICT OF CALIFORNIA

14 JUANITA E. SUGUITAN AND JOHN
15 SUGUITAN,

16 Plaintiffs,

17 v.

18 SAN FRANCISCO CULINARY BARTENDERS
19 AND SERVICE EMPLOYEES PENSION FUND,

20 Defendants.

Case No. C 07-05113 JSW

SECOND DECLARATION OF
KIRSTEN BROOKS

21 I, Kirsten Brooks, am employed by Associated Third Party Administrators, which
22 provides administrative and record keeping services for the San Francisco Culinary, Bartenders
23 and Services Employees Trust Funds ("Trust Funds"). These Trust Funds include the San
24 Francisco Culinary Bartenders and Service Employees Pension Fund ("Pension Fund"). I am the
25 Fund Manager for the Trust Funds and have worked in this capacity for over 25 years. I have
26 personal knowledge of the facts set forth below and could and would competently testify to them
27 if called as a witness in this matter.

28 1. The Pension Fund is an employee benefit pension plan established and maintained
pursuant to the Employee Retirement Income Security Act of 1974, as amended ("ERISA"), 29
U.S.C. §1002(2) and pursuant to Section 302 of the Labor Management Relations Act.

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SECOND DECLARATION OF KIRSTEN BROOKS

LEONARD CARDER, LLP
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2. The Pension Fund's records reflect that former Participant Pedro Suguitan and Juanita Estonilo were married in the Philippines on January 27, 1983. A true and accurate copy of the Marriage Contract is attached hereto as Exhibit A.

3. Pedro Suguitan received monthly benefits, in the amount of \$96.45 per month, from May 1, 1971 until his death on December 27, 1997.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 11th day of August, 2008, in

San Francisco, California.


Kirsten Brooks

LEONARD CORDER, LLP
ATTORNEYS
1230 BROADWAY, SUITE 1450
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TELEPHONE: (510) 272-0169 FAX (510) 272-0174

EXHIBIT A

MARRIAGE CONTRACT

City or Municipality of Rosario, Province of La Union

OFFICIAL CIVIL REGISTRAR
[Signature]

	HUSBAND	WIFE
Contracting Parties	<u>Pedro C. Suguitan</u>	<u>Janita Estomilo</u>
(a) Age	<u>79 years old</u>	<u>45 years old</u>
(b) Nationality	<u>Filipino</u>	<u>Filipino</u>
(c) Residence	<u>Tubao, La Union</u>	<u>Tubao, La Union</u>
Single, widowed or divorced	<u>widower</u>	<u>Widow</u>
Father	<u>Rosebio Suguitan (deceased)</u>	<u>Trinidad Estomilo</u>
Nationality	<u>Filipino</u>	<u>Filipino</u>
Mother	<u>Paulina Tavas</u>	<u>Gregoria Verceles</u>
Nationality	<u>Filipino</u>	<u>Filipino</u>
Witnesses	<u>Dominador Doria</u>	<u>Benito Hernandez</u>
Residence	<u>Tubao, La Union</u>	<u>Sto. Tomas, La Union</u>
Persons who gave consent or advice		
(a) Residence		
(b) Relation to contracting party		

Place of marriage Office of the
House of
Belief of
Church of Municipal Judge

Date of marriage January 27, 1983

Marriage solemnized by Marianito A. Licudan

(c) Municipal Judge (Position) (b) Rosario, La Union (Address)

THIS IS TO CERTIFY: That I, Pedro C. Suguitan and
I, Janita Estomilo on the date and at the place above given, of our own free will
and accord, and in the presence of the person solemnizing this marriage and of the two witnesses named
below, both of age, take each other as husband and wife.

And I, Marianito A. Licudan Municipal Judge
CERTIFY: That on the date and at the place above written the aforesaid Pedro C. Suguitan
and Janita Estomilo were with their mutual consent lawfully joined together
in holy matrimony by me in the presence of said witnesses, both of age; and I further certify that
the Marriage License No. XXXXX, issued at XXXXX on XXXXXX, 1983
in favor of said parties, was exhibited to me or no marriage license was exhibited to me, this marriage
being of an exceptional character performed under Art. 76 of Rep. Act 386; and that consent or
advice to such marriage was duly given, as required by law, by the person or persons above men-
tioned.

IN WITNESS WHEREOF, we signed, (or marked with our fingerprint) this certificate in triplicate
this 27th day of January, 1983.

Pedro C. Suguitan
PEDRO C. SUGUITAN
(Contracting Party)

Janita Estomilo
JANITA ESTOMILO
(Contracting Party)

Marianito A. Licudan
(Judge, Justice of the Peace, Mayor, Priest, Minister, etc.)
Municipal Judge
WITNESSES

Dominador Doria
DOMINADOR DORIA

Benito Hernandez
BENITO HERNANDEZ

PROOF OF SERVICE

I am a citizen of the United States and am employed in Alameda County. I am over the age of eighteen (18) years and not a party to the within action. My business address is 1330 Broadway, Suite 1450, Oakland, CA 94612. On August 11, 2008 I served the following document(s):

SECOND DECLARATION OF KIRSTEN BROOKS

by placing a true copy thereof enclosed in a sealed envelope and served in the manner and/or manners described below to each of the parties herein and addressed as below or stated on the attached service list:

John Suguitan
2509 La Union
Gonzales, Tubao
Philippines 601

Juanita Suguitan
2509 La Union
Gonzales, Tubao
Philippines 601

Email: john_suguitan12@yahoo.com.ph

 X **BY ELECTRONIC MAIL:** I caused said document(s) to be transmitted to email address(es) designated.

 BY FACSIMILE: I caused said document(s) to be transmitted to the fax number(s) of the addressee(s) designated.

 X **BY MAIL:** I caused such envelope to be deposited in the mail at my business address, addressed to the addressee(s) designated. I am readily familiar with LEONARD, CARDER's practice for collection and processing of correspondence and pleadings for mailing. It is deposited with the United States Postal Services on that same day in the ordinary course of business.

 X **BY UPS INTERNATIONAL COURIER SERVICE:** I caused such envelope(s) to be delivered via UPS International courier service to the addressee(s) designated.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed at Oakland, California, on August 11, 2008.

 /s/ Kathleen Hayes
Kathleen Hayes